

February 10, 1995 LB 1, 2, 4, 8, 10, 11, 12, 14
20A, 22, 152, 202, 222, 239
LR 1

appointment confirmation hearing report from the Government Committee. Bills read on Final Reading the last two days have been presented to the Governor. (Re. LB 1, LB 2, LB 4, LB 8, LB 10, LB 11, LB 12, LB 14, LB 22, LB 152, LB 202 and LB 239.) LR 1, passed by the Legislature yesterday, has been presented to the Secretary of State. New A bill, LB 20A, by Senator Chambers. (Read by title for the first time.) That's all that I have, Madam President. (See pages 709-10 of the Legislative Journal.)

SENATOR CROSBY: Thank you. The next bill on the list is LB 222.

CLERK: LB 222, a bill introduced by Senator Hall. (Read title.) The bill was introduced on January 9, referred to the Judiciary Committee. The bill was advanced to General File. There are Judiciary Committee amendments pending. (See AM0119 on page 548 of the Legislative Journal.)

SENATOR CROSBY: Senator Hudkins, will you handle the amendments for us, please.

SENATOR HUDKINS: Thank you, Madam President and members of the Legislature. LB 222 changes the award of court costs in cases when a condemnation, which is the result of the exercise of the power of eminent domain by an authorized governmental division, is appealed by the property owner. If the property owner appeals the award from the Board of Appraisers, that appeal is then taken to the district court. The bill would change existing law to say that in those cases where a condemnee appeals, and the amount of the final award by the district court is not equal to or greater than the original award, the court may use its discretion to award the condemner court costs, not including attorney and witness fees. The committee heard several bills with this one which were very similar, and LB 222 was chosen as the vehicle to address the concerns that were raised. The committee amendment adds two provisions that were included in the other bills. The first part is that it would clarify that the provisions of the bill would apply to any pending action on the effective date of the bill, and also adds the emergency clause. The bill was advanced from committee on a 7-0 vote, and I would urge your acceptance or adoption of the committee amendment.

SENATOR CROSBY: Thank you, Senator Hudkins. Mr. Clerk.